

B 5 (Official Form 5) (12/07)

UNITED STATES BANKRUPTCY COURT Southern District of New York		INVOLUNTARY PETITION				
IN RE (Name of Debtor – If Individual: Last, First, Middle) Stage Delicatessen & Restaurant Inc.		ALL OTHER NAMES used by debtor in the last 8 years (Include married, maiden, and trade names.)				
Last four digits of Social-Security or other Individual's Tax-I.D. No./Complete EIN (If more than one, state all.): 95-4110841						
STREET ADDRESS OF DEBTOR (No. and street, city, state, and zip code) 834 7th Avenue New York, New York		MAILING ADDRESS OF DEBTOR (If different from street address) <div style="text-align: right;">ZIP CODE</div>				
COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS New York <div style="text-align: right;">ZIP CODE 10019</div>						
LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR (If different from previously listed addresses) Unknown						
CHAPTER OF BANKRUPTCY CODE UNDER WHICH PETITION IS FILED <div style="text-align: center;"> <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 </div>						
INFORMATION REGARDING DEBTOR (Check applicable boxes)						
Nature of Debts (Check one box.) Petitioners believe: <input type="checkbox"/> Debts are primarily consumer debts <input checked="" type="checkbox"/> Debts are primarily business debts	<table style="width: 100%; border: none;"> <tr> <th style="text-align: center; border: none;">Type of Debtor (Form of Organization)</th> <th style="text-align: center; border: none;">Nature of Business (Check one box.)</th> </tr> <tr> <td style="border: none; vertical-align: top;"> <input type="checkbox"/> Individual (Includes Joint Debtor) <input checked="" type="checkbox"/> Corporation (Includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.) </td> <td style="border: none; vertical-align: top;"> <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51)(B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other <div style="text-align: center;">Restaurant</div> </td> </tr> </table>		Type of Debtor (Form of Organization)	Nature of Business (Check one box.)	<input type="checkbox"/> Individual (Includes Joint Debtor) <input checked="" type="checkbox"/> Corporation (Includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51)(B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other <div style="text-align: center;">Restaurant</div>
Type of Debtor (Form of Organization)	Nature of Business (Check one box.)					
<input type="checkbox"/> Individual (Includes Joint Debtor) <input checked="" type="checkbox"/> Corporation (Includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51)(B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other <div style="text-align: center;">Restaurant</div>					
VENUE <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in the District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> A bankruptcy case concerning debtor's affiliate, general partner or partnership is pending in this District.	FILING FEE (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Petitioner is a child support creditor or its representative, and the form specified in § 304(g) of the Bankruptcy Reform Act of 1994 is attached. <i>[If a child support creditor or its representative is a petitioner, and if the petitioner files the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.]</i>					
PENDING BANKRUPTCY CASE FILED BY OR AGAINST ANY PARTNER OR AFFILIATE OF THIS DEBTOR (Report information for any additional cases on attached sheets.)						
Name of Debtor	Case Number	Date				
Relationship	District	Judge				
ALLEGATIONS (Check applicable boxes) 1. <input checked="" type="checkbox"/> Petitioner (s) are eligible to file this petition pursuant to 11 U.S.C. § 303 (b). 2. <input checked="" type="checkbox"/> The debtor is a person against whom an order for relief may be entered under title 11 of the United States Code. 3.a. <input checked="" type="checkbox"/> The debtor is generally not paying such debtor's debts as they become due, unless such debts are the subject of a bona fide dispute as to liability or amount; <div style="text-align: center;">or</div> b. <input type="checkbox"/> Within 120 days preceding the filing of this petition, a custodian, other than a trustee receiver, or agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.		COURT USE ONLY				

B 5 (Official Form 5) (12/07) - Page 2

Name of Debtor Stage Delicatessen & F

Case No. _____

☒ Check this box if there has been a transfer of any claim against the debtor by or to any petitioner. Attach all documents that evidence the transfer and any statements that are required under Bankruptcy Rule 1003(a).

TRANSFER OF CLAIM

Petitioner(s) request that an order for relief be entered against the debtor under the chapter of title 11, United States Code, specified in this petition. If any petitioner is a foreign representative appointed in a foreign proceeding, a certified copy of the order of the court granting recognition is attached.

REQUEST FOR RELIEF

Petitioner(s) declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information, and belief.

Signature of Petitioner or Representative (State title)
De Sola Provisions Corp.

Name of Petitioner

Date Signed

Name & Mailing
Address of Individual
Signing in Representative
Capacity

C/O B-18 Hunts Point
Coop Market
Bronx, New York 10474

x Signature of Attorney

Robinson Brog Leinwand Greene et al Date

Name of Attorney Firm (If any)

875 Third Ave., 9th Floor, New York, NY 10022

Address

(212) 603-6300

Telephone No.

x Signature of Petitioner or Representative (State title)
Driscoll Foods

Name of Petitioner

Date Signed

Name & Mailing
Address of Individual
Signing in Representative
Capacity

C/O 174 Delawanna Ave
Clifton, NJ 07014

x Signature of Attorney

Robinson Brog Leinwand Greene et al Date

Name of Attorney Firm (If any)

875 Third Ave., 9th floor, New York, NY 10022

Address

(212) 603-6300

Telephone No.

x Signature of Petitioner or Representative (State title)
Gian Piero Bakery

Name of Petitioner

Date Signed

Name & Mailing
Address of Individual
Signing in Representative
Capacity

44-17 30th Avenue
Astoria, New York 11103

x Signature of Attorney

Robinson Brog Leinwand Greene et al Date

Name of Attorney Firm (If any)

875 Third Ave., 9th floor, New York, NY 10022

Address

(212) 603-6300

Telephone No.

PETITIONING CREDITORS

Name and Address of Petitioner

De Sola Provisions Corp.

Nature of Claim

goods sold & delivered

Amount of Claim

182,832.14

Name and Address of Petitioner

Driscoll Foods

Nature of Claim

goods sold & delivered

Amount of Claim

81,979.44

Name and Address of Petitioner

Gian Piero Bakery

Nature of Claim

goods sold & delivered

Amount of Claim

Note:

If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, each petitioner's signature under the statement and the name of attorney and petitioning creditor information in the format above.

Total Amount of Petitioners' Claims

continuation sheets attached

B 5 (Official Form 5) (12/07) - Page 2

Name of Debtor: Stage Delicatessen & F

Case No. _____

TRANSFER OF CLAIM		
<input type="checkbox"/> Check this box if there has been a transfer of any claim against the debtor by or to any petitioner. Attach all documents that evidence the transfer and any statements that are required under Bankruptcy Rule 1003(a).		
REQUEST FOR RELIEF		
Petitioner(s) request that an order for relief be entered against the debtor under the chapter of title 11, United States Code, specified in this petition. If any petitioner is a foreign representative appointed in a foreign proceeding, a certified copy of the order of the court granting recognition is attached.		
Petitioner(s) declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information, and belief.		
<input checked="" type="checkbox"/> Signature of Petitioner or Representative (State title) <u>De Sola Provisions Corp.</u> Name of Petitioner _____ Date Signed _____ Name & Mailing Address of Individual Signing in Representative Capacity <u>C/O B-18 Hunts Point</u> <u>Coop. Market</u> <u>Bronx, New York 10474</u>	<input checked="" type="checkbox"/> Signature of Attorney _____ Date _____ <u>Robinson Brog Leinwand Greene et al</u> Name of Attorney Firm (If any) <u>875 Third Ave., 9th Floor, New York, NY 10022</u> Address <u>(212) 603-6300</u> Telephone No. _____	
<input checked="" type="checkbox"/> <u>Bela Makula</u> Signature of Petitioner or Representative (State title) <u>Driscoll Foods</u> Name of Petitioner _____ Date Signed _____ Name & Mailing Address of Individual Signing in Representative Capacity <u>C/O 174 Delawanna Ave</u> <u>Clifton, NJ 07014</u>	<input checked="" type="checkbox"/> <u>Robert H. J.</u> Signature of Attorney _____ Date _____ <u>Robinson Brog Leinwand Greene et al</u> Name of Attorney Firm (If any) <u>875 Third Ave., 9th floor, New York, NY 10022</u> Address <u>(212) 603-6300</u> Telephone No. _____	
<input checked="" type="checkbox"/> Signature of Petitioner or Representative (State title) <u>Gian Piero Bakery</u> Name of Petitioner _____ Date Signed _____ Name & Mailing Address of Individual Signing in Representative Capacity <u>44-17 30th Avenue</u> <u>Astoria, New York 11103</u>	<input checked="" type="checkbox"/> Signature of Attorney _____ Date _____ <u>Robinson Brog Leinwand Greene et al</u> Name of Attorney Firm (If any) <u>875 Third Ave., 9th floor, New York, NY 10022</u> Address <u>(212) 603-6300</u> Telephone No. _____	
PETITIONING CREDITORS		
Name and Address of Petitioner <u>De Sola Provisions Corp.</u>	Nature of Claim <u>goods sold & delivered</u>	Amount of Claim <u>182,832.14</u>
Name and Address of Petitioner <u>Driscoll Foods</u>	Nature of Claim <u>goods sold & delivered</u>	Amount of Claim <u>81,979.44</u>
Name and Address of Petitioner <u>Gian Piero Bakery</u>	Nature of Claim <u>goods sold & delivered</u>	Amount of Claim
Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, each petitioner's signature under the statement and the name of attorney and petitioning creditor information in the format above.		Total Amount of Petitioners' Claims

continuation sheets attached

04/19/2013 08:42 FAX 2125815981

Pg 4 of 7

04/03/13 WED 11:14 FAX 2129562104

RBLGG&G

RBLGG&G

002

006

14 (Official Form 5) (12/07) - Page 2

Name of Debtor Stage Delicatessen & F

Case No. _____

☐ Check this box if there has been a transfer of any claim against the debtor by or to any petitioner. Attach all documents that evidence the transfer and any statements that are required under Bankruptcy Rule 1005(a).

TRANSFER OF CLAIM

Petitioner(s) request that an order for relief be entered against the debtor under the chapter of title 11, United States Code, specified in this petition. If any petitioner is a foreign representative appointed in a foreign proceeding, a certified copy of the order of the court granting recognition is attached.

Petitioner(s) declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information, and belief.

X
Signature of Petitioner or Representative (State title)
De Sole Provisions Corp.

Name of Petitioner

Date Signed

Name & Mailing
Address of Individual
Signing in Representative
Capacity

C/O B-18 Hunts Point
Coop Market
Bronx, New York 10474

X
Signature of Attorney
Robinson Brog Leinwand Greene et al

Date

Name of Attorney Firm (if any)
875 Third Ave., 8th Floor, New York, NY 10022

Address
(212) 603-8300
Telephone No.

X
Signature of Petitioner or Representative (State title)
Driscoll Foods

Name of Petitioner

Date Signed

Name & Mailing
Address of Individual
Signing in Representative
Capacity

C/O 174 Delawanna Ave
Clifton, NJ 07014

X
Signature of Attorney
Robinson Brog Leinwand Greene et al

Date

Name of Attorney Firm (if any)
875 Third Ave., 8th floor, New York, NY 10022

Address
(212) 603-8300
Telephone No.

X
Signature of Petitioner or Representative (State title)
Gian Piero Bakery

Name of Petitioner

Date Signed

Name & Mailing
Address of Individual
Signing in Representative
Capacity

44-17 30th Avenue
Astoria, New York 11103

X
Signature of Attorney
Robinson Brog Leinwand Greene et al

Date

Name of Attorney Firm (if any)
875 Third Ave., 9th floor, New York, NY 10022

Address
(212) 603-8300
Telephone No.

Name and Address of Petitioner

De Sole Provisions Corp.

PETITIONING CREDITORS

Nature of Claim

Amount of Claim

goods sold & delivered

182,832.14

Name and Address of Petitioner

Driscoll Foods

Nature of Claim

Amount of Claim

goods sold & delivered

81,979.44

Name and Address of Petitioner

Gian Piero Bakery

Nature of Claim

Amount of Claim

goods sold & delivered

Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, each petitioner's signature under the statement and the name of attorney and petitioning creditor information in the format above.

Total Amount of Petitioners' Claims

continuation sheets attached.

**DeSola Provisions Corp.
B-18 Hunts Point Cooperative Market
Bronx, New York 10474**

April , 2013

Robert R. Leinwand, Esq.
Robinson Brog Leinwand Greene
Genovese & Gluck P.C.
875 Third Avenue, 9th Floor
New York, New York 10022

RE: Stage Deli of New York

Dear Mr. Leinwand:

We are a creditor of Stage Delicatessen & Restaurant Inc., which is obligated to us in the amount of **\$182,832.14** as per Statement dated 3/10/2013.

We hereby authorize you to file an involuntary Chapter 7 Bankruptcy Petition against Stage Deli of New York on our behalf.

Very truly yours,

DeSola Provisions Corp.

By: 

Richard Reisner

Driscoll Foods
174 Delawanna Avenue
Clifton, New Jersey 07014

April 3, 2013

Robert R. Leinwand, Esq.
Robinson Brog Leinwand Greene
Genovese & Gluck P.C.
875 Third Avenue, 9th Floor
New York, New York 10022

RE: Stage Deli of New York

Dear Mr. Leinwand:

We are a creditor of Stage Delicatessen & Restaurant Inc., which is obligated to us in the amount of **\$81,979.44** as per Statement dated 3/20/2013.

We hereby authorize you to file an involuntary Chapter 7 Bankruptcy Petition against Stage Deli of New York on our behalf.

Very truly yours,

Driscoll Foods

By: Bela Makula
Bela Makula

**Gian Piero Bakery
44-17 30th Avenue
Astoria, New York 11103**

April , 2013

Robert R. Leinwand, Esq.
Robinson Brog Leinwand Greene
Genovese & Gluck P.C.
875 Third Avenue, 9th Floor
New York, New York 10022

RE: Stage Deli of New York

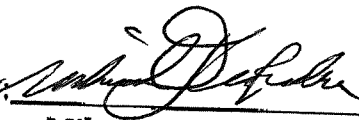
Dear Mr. Leinwand:

We are a creditor of Stage Delicatessen & Restaurant Inc., which is obligated to us in the amount of \$15,505.84 as per Statement dated 4/4/13, 2013.

We hereby authorize you to file an involuntary Chapter 7 Bankruptcy Petition against Stage Deli of New York on our behalf.

Very truly yours,

Gian Piero Bakery

By: 
Mike